

march 19, 2009

THE RESEARCH REVIEW

published by the Research Division of the Tennessee House of Representatives



THE HOUSE RESEARCH DIVISION
320 6th AVE N. • RACHEL JACKSON BUILDING, 7th FLOOR • NASHVILLE, TN 37243



HOUSE RESEARCH DIVISION STAFF

DIRECTOR

Denise Sims

AGRICULTURE

Jeremy Maxwell

CHILDREN & FAMILY AFFAIRS

Amelia Mitchell

COMMERCE

Todd A. Staley, Esq.

CONSERVATION & ENVIRONMENT

Jeremy Maxwell

CONSUMER & EMPLOYEE AFFAIRS

Lucy Wilson

EDUCATION

staff

FINANCE, WAYS & MEANS

Julie Travis, lead analyst

Patrick Boggs

GOVERNMENT OPERATIONS

Amber Rice

HEALTH & HUMAN RESOURCES

Judy Narramore

JUDICIARY

Jeffrey T. Malotte, Esq.

STATE & LOCAL GOVERNMENT

Lawrence Hall, Jr.

TRANSPORTATION

Jeremy L. Elrod

PHOTOGRAPHY

Jed DeKalb

Andrew McMurtrie

Theresa Montgomery

GRAPHIC DESIGN & LAYOUT

John Newman

PRINTING SERVICES

Capitol Print Shop

HOUSE RESEARCH DIVISION

320 6th Avenue North

Rachel Jackson Building, 7th Floor

Nashville, TN 37243

615.741.3025 -or-

615.741.1100, ext. 44982

03 | AGRICULTURE

03 | CHILDREN & FAMILY AFFAIRS

04 | COMMERCE

06 | CONSERVATION & ENVIRONMENT

07 | CONSUMER & EMPLOYEE AFFAIRS

08 | EDUCATION

10 | FINANCE, WAYS & MEANS

13 | GOVERNMENT OPERATIONS

13 | HEALTH & HUMAN RESOURCES

15 | JUDICIARY

18 | STATE & LOCAL GOVERNMENT

20 | TRANSPORTATION

agriculture

Jeremy Maxwell

THE FULL COMMITTEE

The Agriculture Committee met Tuesday to consider five bills on calendar and to hear a presentation.

HB 2110 (McDaniel) was *referred to FW&M as amended*. The amended bill removes any reference to tax which removes the fiscal note. It also allows local governments to regulate the time and place of the business that veterinarians can practice.

The following bills were *rolled one week*:

HB 1512 (Tindell) as introduced, provides terms for the engagement of services for certain termite inspection and prevention plans.

HB 2137 (Harrison) as introduced, prohibits a pest control operator from initially entering into a contract for provision of termite prevention or control services on a structure or building until the operator has applied a suitable pesticide to such structure or building.

HB 727 (Hensley) was *referred to the General Sub of Agriculture*. This bill creates a Class C misdemeanor offense for smoking cigarettes, pipes, or cigars in a motor vehicle in which a child is present who is restrained or meets restraint requirements. A violation is punishable by a fine only which is designated for the Child Safety Fund.

HB 2132 (McCormick) was *taken off notice*. This bill, as introduced, authorizes department to issue certificate of free sale for food, drugs, or cosmetics if manufacturer or distributor is authorized to manufacture or distribute the product and it can be sold freely or the party has provided documentation of FDA inspection and the party appears to be authorized to sell.

The committee also heard from Danny Sells, Executive Director of Tennessee Association of Conservation Districts. He spoke on behalf of the 95 County Soil Conservation Districts and the 475 Soil Conservation District Supervisors. The supervisors are landowners within the county and most often are community leaders involved in agriculture. Districts have a deep interest in agriculture and its success in the county but additionally have a real commitment to natural resource protection.



children & family affairs

Amelia Mitchell

THE FULL COMMITTEE

The **Children & Family Affairs Committee** met on Wednesday, March 18th and the following bills passed to Calendar & Rules:

HB 66 by Rep. Fincher, as amended, removes a provision that allows a court to dismiss a divorce or legal separation complaint because the complaint lacks required information.

HB 804 by Rep. Campfield, as amended, permits parents called to active military service that requires



them to be out of state for more than 90 days to petition the court to assign their visitation rights during their absence to another person approved by the court.

FAMILY JUSTICE SUBCOMMITTEE

The **Family Justice Subcommittee** met on Tuesday, March 17th and the following bills were deferred:

HB 677 by Rep. Cooper was deferred to March 24th.

HB 5 by Hardaway was deferred to March 31st.

DOMESTIC RELATIONS SUBCOMMITTEE

The **Domestic Relations Subcommittee** did not meet this week.

commerce

Todd A. Staley, Esq.

THE FULL COMMITTEE

The **Commerce Committee** met on Tuesday to consider three bills.

HB 971 (McCord) expands the definition of “all-terrain vehicle” in the Motorcycle and Off-Road Vehicle Act. The bill increases the weight and engine size to better reflect the changes in the market of the vehicles being sold today. An amendment was adopted to keep the

current statutory language of “low pressure tires” instead of “non-highway tires” as used in the original bill.

[passed to Calendar & Rules]



Rep. McCord

applicant shows good cause. Additionally, a student who takes the CPA exam would be able to learn the results before graduation. This allows a student to take additional courses before retaking the exam. An amendment was adopted that fixes a typographical error in the current statute.

[passed to Calendar & Rules]

HB 978 (McCord) would allow the Board of Accountancy to extend the time for completing the education requirements more than 200 days after the CPA exam if the

HB 595 (Coleman) cleans up some typographical errors in the Tennessee Condominium Act of 2008. It also clarifies that a homeowner’s association can make assessments to cover government mandates even if the development was established before January 1, 2009. [rolled for two weeks]

The committee heard from Laurie Lee, Executive Director of Benefits Administration for CoverTennessee. Here are the current enrollment figures:

- CoverKids – 34,713
- AccessTN – 4,367
- CoverTN – 18,434
- CoverRx – 31,495

Ms. Lee testified that CoverTennessee was able to expand benefits and the eligibility criteria in 2008. CoverTN added a new category for eligibility called “Tennesseans Between Jobs.” This category allows an individual to join who does not have benefits because of job loss or reduced hours. Last year, CoverKids doubled in enrollment and added vision and dental care. The program is current receiving from the federal government three dollars for every state dollar spent.

Additionally, CoverTennessee is doing more with community outreach.



Laurie Lee, CoverTN

During its first year, CoverTennessee spent \$2.3 million in advertising focusing on television ads to let people know about the programs. Spending for this year is at \$811,000 as the focus has shifted to partnerships and other distribution channels. For instance, by partnering with the Department of Education, CoverTennessee was very successful in the back-to-school campaign for CoverKids.

The current budget for CoverTennessee is \$84.3 million. Ms. Lee testified that CoverTennessee will be requesting funds for the improvement of CoverKids for the 2009-2010 budget.

Next week the committee is scheduled to hear from the Tennessee Athletic Commission to give an update on the “Mixed Martial Arts” legislation that was enacted last year.

UTILITIES & BANKING SUBCOMMITTEE

The **Utilities and Banking Subcommittee** had no bills on notice and did not meet.

SMALL BUSINESS SUBCOMMITTEE

The **Small Business Subcommittee** met on Tuesday to consider five bills.

HJR 121 (Fitzhugh) approves the amendments to the charter of the Tennessee Technology Development Corporation in regards to the date of their meetings. Changes to the TTDC’s charter require approval by the General Assembly.
[moved to full committee]

HB 644 (Montgomery) as amended would require an individual who is wanting to start a private investigations firm to have 4,000 hours of experience in addition to the current requirements. An individual who owns, but does not work as a private investigator only needs to have one employee who meets the experience requirement. All current private investigations firm license holders are grandfathered in.
[rolled for one week]

HB 1375 (Johnson P) as amended requires persons appointed to Tennessee Home Inspection Advisory Committee to be licensed home inspectors.
[rolled for one week]

HB 1846 (Miller L) requires the state treasurer to submit a report each year on the small and minority-owned businesses assistance program and fund.

[rolled for one week]

HB 2199 (Miller L) creates a special joint committee to study unnecessary barriers hindering the ability for small businesses to compete.

[rolled for one week]



Rep. Miller

INDUSTRIAL IMPACT SUBCOMMITTEE

The **Industrial Impact Subcommittee** met on Wednesday to consider eleven bills.

HB 2025 (Maddox) codifies the current practice in real estate that allows a principal broker to act as such for two firms as long as those two firms share the same physical address.
[moved to full committee]

HB 1420 (Tidwell) creates the “Soil Scientist Licensing Act of 2009.” Soil scientists generally map a piece of land to determine how the properties of the soil support or limit activities and uses. Under this legislation, the Examiners of Land Surveyors would license and regulate soil scientists. The bill establishes minimum educational and experience requirements to apply for licensure.
[moved to full committee]

HB 380 (Sargent) as amended requires the seller of real property to disclose if the property is located in a planned unit development before entering into a contract with the



Rep. Sargent

buyer. A copy of the restrictive covenants, homeowner by-laws, and master deed must be made available upon request of the buyer.
[moved to full committee]

HB 276 (Dean) revises the current laws on the sale, possession, use of fireworks by local governments. The subcommittee decided to roll the bill one week in order for an amendment to be drafted. The amendment is expected to give the ability to each county commission to decide whether or not to permit the sale and discharge of fireworks in their county. After a two-thirds vote, the county commission would then seek approve by the General Assembly.
[rolled for one week]

The following bills were rolled:

HB 272 (Dean) – rolled for two weeks.
HB 888 (Sontany) – rolled for one week.
HB 793 (Harwell) – rolled for one week.
HB 1517 (Curtiss) – rolled for one week.
HB 1906 (Curtiss) – rolled for three weeks.
HB 1907 (Curtiss) – rolled for three weeks.

HB 912 (McCormick) was taken off notice.

conservation & environment

Jeremy Maxwell

THE FULL COMMITTEE

The **Conservation and Environment Committee** had no bills on notice and did not meet this week.

ENVIRONMENT SUBCOMMITTEE

The Environment Subcommittee met Tuesday to consider four bills on calendar.

HB 1245 (Curtiss) was *referred to full committee as amended*. This bill, as amended, requires applicants for a new or expanded wastewater discharge permit to include with the application a statement considering



alternatives to such discharge into surface waters. It authorizes the Water Quality Control Board to create a system of incentives to use methods of wastewater disposal that serve as alternatives to discharge into surface water. It also keeps the five-year maximum for permits authorizing discharges to surface waters.

Rep. Curtiss

The following bills were *referred to full committee*:

HB 1912 (Armstrong), as introduced, amends the Landfill Methane Development Act to identify certain circumstances and purposes for which refined, landfill methane shall be deemed to be natural gas.

HB 1981 (Fitzhugh), as introduced, authorizes the Tennessee local development authority to charge administrative fees and expenses under the Wastewater Facilities Act of 1987 and the Drinking Water Revolving Loan Fund Act of 1997.

HB 899 (Dunn) was *rolled two weeks*. This bill, as introduced, prohibits the department of environment and conservation from issuing permits related to surface mining activities under certain circumstances.

WILDLIFE SUBCOMMITTEE

The **Wildlife Subcommittee** met Tuesday to consider three bills.

The following bills were *rolled one week*:

HB 725 (Hensley), as introduced, specifies that hunting or taking animals by use of bait shall not be prohibited unless the bait is visible at the time and location of such hunt or taking.

HB 361 (Dennis), as introduced, provides that the determination as to whether property, such as vehicles, seized for violations of certain game and fish laws is

forfeited to state is determined by court hearing the violation rather than an administrative hearing officer.



Rep. Dennis

HB 958 (McCord), as introduced, increases from thirty to forty-five days the time in which person cited for not wearing flotation device must provide proof of legal age; extends from 30 to 45 days time for proving age may be extended at discretion of officer.

PARKS & TOURISM SUBCOMMITTEE

The **Parks Subcommittee** met Wednesday to consider two bills on calendar.

HB 2309 (M. Turner, Bone) was *referred to full committee*. This bill adds John and Hester Lane Cedar Glades as natural-scientific area; revises the acreage and names of other scenic-recreational and natural-scientific areas.

HB 1217 (Tidwell) was *taken off notice*. This bill designates additional segment of Duck River as Class II Pastoral River.

consumer & employee affairs

Lucy Wilson

THE FULL COMMITTEE

The **Consumer & Employee Affairs Committee** did not meet this week.

CONSUMER AFFAIRS SUBCOMMITTEE



Rep. Hardaway

The **Consumer Affairs Subcommittee** met to hear one bill.

HB 550 by Hardaway (SB 0598 Burchett) proposes to make it a violation of the Consumer Protection Act to use anything in an advertisement or trade name to imply that the entity has a relationship with, is part of, or is a government entity when this is not the

case. The sponsor agreed to roll the bill two weeks to tighten the language of the bill.

EMPLOYEE AFFAIRS SUBCOMMITTEE

The **Employee Affairs Subcommittee** did not meet this week.

THE FULL COMMITTEE

The **House Education Committee** met Wednesday, March 18th and considered three items on the calendar. One bill was sent to Calendar and Rules.

HJR 0033 by Lollar requires the state board to implement methods to encourage students to apply to at least one postsecondary institution. (*rolled one week at the request of the sponsor*)

HB 0921 by Eldridge, as amended, allows color in commercial ads on school buses (removes the restriction requiring black and white only). The ads cannot display



Rep. Eldridge

certain food and other products not sold in school vending machines to the lower grades. (*sent as amended to Calendar & Rules*)

HB 0849 by Mumpower expands the “Moral Combat” intervention program statewide by authorizing human resource agencies to apply for grants. (*rolled one week at the request of the chair*)

HIGHER EDUCATION SUBCOMMITTEE

The **Higher Education Subcommittee** met Tuesday, March 17th with four bills on calendar.

HB 2143 by Fitzhugh, the comprehensive “Streamlining Higher and Postsecondary Education Act,” was amended and *held in committee* to allow further work.

HB 2342 by Hardaway was *rolled until the subcommittee considers all lottery scholarship bills on future calendars*. This bill allows students who did

not meet academic requirements for a HOPE Scholarship upon graduation, but who have since met those requirements after enrolling in an eligible postsecondary institution, to qualify for the scholarship.

HB 0808 by Campfield, requiring students attending public postsecondary institutions to be lawfully in this country, was *rolled one week*.

HB 0460 by Odom, a tuition discount bill for children of retired state employees with thirty years of service or more, was *taken off notice*.

K-12 SUBCOMMITTEE

The **K-12 Subcommittee** met Wednesday, March 18th with 25 bills on calendar.

K-12 Chairman Winningham announced at the beginning of the meeting that bills on the day’s calendar seeking curriculum action by the State Board of Education would be referred to the State Board for review. It would then be the responsibility of the board to return the bill to the sponsor, and to the House and Senate Education Committees with a fiscal note, comments, the current status of the action requested, any demands on teachers and staff that the bill could create, and other pertinent remarks and recommendations.

The state board is to use existing staff and resources to carry out these reviews, and bills are to be returned with comments and recommendations no later than March 15, 2010. (Those bills are indicated with “referred to the state board” below.)



K-12 Chair Winningham

At the conclusion of the meeting, four bills were sent to the full committee, five were referred to the State Board

of Education, thirteen were rolled and three were taken off notice.

To the Full Committee:

HB 0975 by McCord requires that the TCAP be given later in the school year - during a five-day period between the last week of March and the first three weeks of April.



Rep. Coley

HB 0374 by Coley requires written a referral for a student's behavior to be returned to the faculty member issuing the referral; requires that the referral be retained as a permanent record.

HB 0102 by McCormick deletes the requirement that at a meeting at which action is taken on the director of school's contract extension,

the contract action is to be the first item on the agenda.

HB 0782 by McCormick, for purposes of calculating years of service and setting salary ratings, credits former JROTC instructors, who are currently teaching in subject areas other than JROTC or military science, for the years they taught JROTC.

Referred to the State Board:

HB 0557 by Kelsey requires the state board to make a semester course in personal finance as a requirement for high school graduation.

HB 0812 by Campfield requires parental permission for a student to attend family life courses; provides alternative classes be offered for those choosing not to take the courses.

HB 0821 by Campfield prohibits the furnishing of materials on, or the teaching of, human sexuality other than heterosexuality in grades K-8 in public schools.

HB 0285 by Coley requires the development of a curriculum for the instruction of Chinese in K-12 public schools; encourages LEAs to offer such courses.

HB 0377 by Coley urges the state board to develop and establish a rubric for the assessment of children's differing abilities, including abilities in areas other than logical, mathematical and linguistic intelligence.

Rolled:

HB 0947 by Lynn requires local education agencies to establish a virtual education program for certain adjudicated delinquents. *(one week)*

HB 1371 by Kernell requires the state board to develop guidelines and criteria for foreign language instruction in K-6. *(one week)*

HB 0376 by Coley urges those institutions of higher education offering approved teacher training programs to offer comparative education programs that examine teaching practices and learning outcomes in other countries. *(one week)*

HB 0375 by Coley enacts the "Archival Protection Act of 2009" which urges the preservation of historically significant property in closed public schools. *(one week)*

HB 0983 by Shaw prohibits the issuance of, and authorizes the suspension of the driver's license of a parent or legal guardian of a student who has been expelled from school for ten or more days in a school year, when that parent or guardian refuses to appear at the school for a conference on the student's education and development. *(two weeks)*

HB 0679 by B. Cooper authorizes local school boards to establish dress codes. *(one week)*

HB 0885 by B. Cooper enacts the "Tennessee Promise Zone Act." *(one week)*

HB 0059 by Hardaway requires established minimum guidelines for health insurance coverage required for attendance in K-12 schools; requires proof of health insurance prior to yearly school admittance. *(one week)*

HB 0060 by Hardaway requires parents to notify an LEA if the child does not have health insurance coverage at time of admittance. *(one week)*

HB 0122 by Hardaway directs LEAs to make reasonable efforts to determine if students have health insurance coverage and to report those findings to the commissioner of education. *(one week)*

HB 0552 by Hardaway requires a city whose special school district has boundaries that are coterminous with the city's boundaries to maintain city funding for K-12 education in line with the BEP Maintenance of Effort Law. It prohibits such city from supplanting its portion of funding for regular K-12 education with state BEP money. It incorporates the use of an inflationary factor (the government price deflator – currently 2.09%) into the calculation of such district's Maintenance of Effort tests. *(one week)*

HB 0948 by Lynn requires the commissioner of education to withhold BEP funds from an LEA if its purchasing and procurement practices are not in accordance with present law governing purchases and procurements. *(one week)*

HB 0292 by Borchert names the Benton County Career/Technical Center in honor of the late Senator

Frank P. Lashlee who served in both the Tennessee House and Senate for eighteen years. *(one week)*

Off Notice:

HB 1213 by Coley urges the state board to establish a required course in economics and financial literacy. *(taken off notice)*

HB 0103 by McCormick opens enrollment in charter schools to all students after enrollment priorities are met; removes caps on the number of charter schools formed. *(taken off notice)*

HB 0561 by Kelsey allows students who perform successfully on a foreign language proficiency exam to earn foreign language credit hours. *(taken off notice)*

finance, ways & means

Julie Travis & Patrick Boggs

THE FULL COMMITTEE

ARRA Funds: Bridge Replacements in TN

The second expansion request resulting from the influx of monies associated with the American Recovery and Reinvestment Act (ARRA) was offered in a report to the Full Finance Committee on Tuesday, March 17, 2009. Commissioner Gerald Nicely was present to provide information for, and to answer any questions on, the budget expansion request for bridge replacement funds. The ARRA provides federal transportation funds for FY08-09 in the amounts of \$73,247,000 for transit, an estimated \$20,000,000 for aviation, and \$572,701,000 for highway and bridge replacements, of which ten "off-system county bridges" in ten different Tennessee counties will be the first projects in the state to be funded through the American Recovery and Reinvestment Act. With an estimated cost of \$7.95 million, these bridges are located within ten counties designated under federal guidelines as small, distressed counties. The department of transportation's goal is to have these ten projects ready for open bidding on this Friday, March 20th. The projects are 100% state-funded, and do not require local matches. Normally, local governments are required to provide a 20% match in order to receive bridge funds; however, that match is waived under the ARRA. The localities will be refunded

their previously invested match monies when they were initially added to the state's waiting list. They are projecting that some 24,000 to 25,000 jobs will either be retained or created with this particular part of the economic stimulus, and by doing so will also help to support our bridge infrastructure needs, creating a safer, more efficient transportation system for the citizens of Tennessee and the passers through who utilize our county and state roads, bridges, and highway systems. The ten counties slated for these bridge replacement projects include Carroll, Carter, Cocke, Fentress, Gibson, Giles, Hardeman, Hawkins, Macon, and Monroe. According to the Department's news release, "Under the ARRA, at least half of all TDOT highway and bridge funds must be obligated within 120 days. TDOT plans to let all remaining ARRA funded projects in May and June. All ARRA funds will be under contract and projects should be underway this summer."

The Finance Committee reviewed the first expansion request in a quick meeting on the House Floor on Thursday, March 12th, following the morning session, to approve \$173 million in flow-through federal monies to raise unemployment benefits temporarily for two years, from March 16, 2009 to July 3, 2010. With the \$25 increase, the maximum weekly unemployment check would therefore go from \$275 to \$300.

For future reference, the state's website in relation to the ARRA is <http://tnrecovery.gov/>

The federal website is <http://www.recovery.gov/>.

The full committee had three highway sign bills on calendar Tuesday. All three bills were referred to Calendar and Rules; of which, the first two by Rep. Harmon, HB 213 and HB 216, were both amended by House Finance. All three bills are described below:

HB 213 (Harmon) – Highway sign bill: Designates the segment of State Route 2 located in the Battle Creek community of Marion County from the western corporate limits of the Town of Kimball to its intersection with I-24 at the Martin Springs exit as the Sheriff Ernest Haskew Memorial Highway and directs the Department of Transportation to manufacture and erect suitable signs. The Transportation committee previously amended the bill to have a non-state funding source for the bill. The committee amended the bill to specify that Marion County will pay for the signage.

HB 216 (Harmon) – Killed in action highway sign bill: Designates the segment of State Route 56 from the southern corporate limits of the City of Altamont to the northern corporate limits of the City of Beersheba Springs as the Deputy Anthony Shane Tate Memorial Highway and directs the Department of Transportation to manufacture and erect suitable signs. The Transportation Committee previously amended the bill requiring funding in accordance with TCA §54-1-133, as Deputy Tate was killed in the line of duty while serving in Grundy County. The committee amended the bill to correct a typographical error found within the bill.

HB 298 (Pitts) – Highway sign bill: Designates the road known as “Dover Crossing” in the City of Clarksville in Montgomery County as the Charles ‘Chuck’ Duncheskie Memorial Parkway and directs the Department of Transportation to erect suitable signs. The resulting appellation of the parkway being named for Mr. Duncheskie is one for honorary purposes only and will not require any addresses to be altered. The bill will



take effect only if the City of Clarksville remits the estimated cost of such signs to TDOT within one year of the effective date of the act.

BUDGET SUBCOMMITTEE

On Wednesday, March 18, 2009, the Budget Subcommittee of the House Finance, Ways, and Means Committee met with twenty-two bills on its calendar. Subcommittee action on these bills is as follows:

Referred to Full Committee:

HB 509 (Coleman) – This bill designates the bridge located at the intersection of I-24 and S.R. 266 in Rutherford County as the “SPC Raymond Neal Mitchell III Memorial Bridge.” SPC Mitchell was killed in the line of duty in Iraq and thus the signs will be paid out of the highway fund.

HB 1463 (Casada) – This bill names the bridge over Rutherford Creek on U.S. 431 in Williamson County as the “Sam Cliff Smithson, Sr. Memorial Bridge.” As amended by the subcommittee, it would be paid by Williamson County.

HB 340 (Hensley) – This bill reduces from quarterly to annually the number of times the Committee for Clinical Perfusionists must meet. This reduction will result in a cost savings of \$2,300 annually for the committee within the Medical Examiners board.

HB 440 (McDaniel) – This bill names a bridge on S.R. 227 in Wayne County the “Joe ‘Buddy’ Bailey Memorial Bridge.” The subcommittee amended the bill to require Wayne County to pay for the bridge.

HB 75 (Shepard) – This bill designates a section of U.S. 70 as the “LCpl Jeffrey Adam Bishop Memorial Highway.” Such funding shall come from the highway fund as LCpl Bishop was killed in the line of duty.

HB 470 (Shepard) – This bill names a bridge on S.R. 48 in Dickson County the “William Fiser Memorial Bridge.” The subcommittee amended the bill to require Dickson County pay for the signs.

HB 231 (Todd) – This bill names a section of S.R. 176 in Shelby County the “Jerry Lee Lewis Highway.” After questions from members asking if drivers would be comfortable on a highway named after “the killer,” the subcommittee amended the bill to require the City of Memphis to pay for the signage.

Deferred for One Week:

HB 1211 (Eldridge)

Deferred for Two Weeks:

HJR 3 (Kelsey)

HB 301 (Hardaway)

HB 949 (Hardaway)

HB 916 (Hill)

HB 1311 (Harmon)

HB 2264 (M. Turner)

Deferred to the Last Calendar:

HB 1649 (U. Jones)

HB 1582 (Shaw)

Behind the Budget:

HB 7 (Hardaway)

HB 63 (Fincher)

HB 392 (Fincher)

HB 582 (Fincher)

HB 1477 (Montgomery)

Referred to Study Sub:

HJR 76 (Hardaway)

government operations

Amber Rice

The **Government Operations Committee** met on March 18th to consider twelve bills.



Chairlady Lynn

HB 62 by Rep. Fincher was deferred for one week. **HB 1043 by Rep. Kernell** was deferred to the last calendar of 2009.

The following bill was passed to **Calendar and Rules**:

HB 1007 by Rep. Lynn- Extends the Human Rights Commission to June 30, 2011.

The following bills were passed to **Calendar and Rules** with an amendment:

HB 1053 by Rep. Lynn- As amended, sunsets Board of Electrolysis Examiners and transfers duties of the board to the Commissioner of Health or a designee.

HB 1056 by Rep. Lynn- As amended, extends Advisory Committee on Women's Health to June 30, 2015 and requires the a representative of the

Department of Health to appear before the Government Operations joint subcommittee by August 2010 to update the joint subcommittee on advisory committee activities.

The following Sunset bills were moved to a consent calendar and passed out to **Calendar and Rules**. These bills are as follows.

HB 998 by Rep. Lynn- Extends Board of Osteopathic Examination to June 30, 2015.

HB 1011 by Rep. Lynn- Extends Board for Professional Counselors, Marital and Family Therapists, and Clinical Pastoral Therapists to June 30, 2015.

HB 1012 by Rep. Lynn- Extends Board of Alcohol and Drug Abuse Counselors to June 30, 2015.

HB 1060 by Rep. Lynn- Extends the Board of Occupational Therapy to June 30, 2014.

HB 1063 by Rep. Lynn- Extends Board of Physical Therapy to June 30, 2014.

HB 1094 by Rep. Lynn- Extends Family Support Council to June 30, 2016.

HB 1096 by Rep. Lynn- Extends Department of Health to June 30, 2015.

THE FULL COMMITTEE

The **Health & Human Resources Committee** met Tuesday, March 17, 2009, with five bills and one resolution on the calendar and addendum, referring five to C&R. **HB 0319 (Jones S)** states that the Department of Health will accept information updating a physician or osteopathic physician provider profile if the information is received from either the provider or the provider's medical malpractice carrier. The carrier must attest in writing that it is the provider's malpractice carrier that has made the payment and that the carrier has confirmed in writing to the provider that the information has been reported to the Department to update the provider's profile. **HB 0462 (Odom)** creates a Class A misdemeanor offense for a person



Rep. Odom

(non-TennCare enrollee) who deceives or fails to disclose to a health care provider from whom the person obtains a controlled substance or prescription for a controlled substance the fact that the person has received the same or similar controlled substance or prescription for the controlled substance from another provider

within the past 30 days; requires providers who have good reason to believe a person has obtained or attempts to obtain controlled substances in violation of this legislation to report such activity within three business days to the local law enforcement agency; and, states providers acting in good faith to contact local law enforcement would be immune from civil liability. **HJR 0120 (Sargent)** designates May 2009 as *Lupus Awareness Month* in Tennessee. **HB 1877 (Richardson)** as amended clarifies that both current residents and new admissions qualify for hospice care in

an assisted-care living facility and requires that hospice care be available 24/7 pursuant to the patient's hospice plan of care. **HB 1654 (Armstrong)** grants doctoral clinical psychology students in university-operated training clinics eligibility for third party reimbursement for usual and customary professional services.



Chairman Armstrong

In other action, **HB 0702 (Brooks K)** that exempts from licensure by the Department of Mental Health & Developmental Disabilities and the Department of Human Services facilities operated by nonprofit entities that provide educational services to persons over 18 with mental retardation and that do not receive state or federal funds for providing such services was rolled two weeks at the request of the sponsor.

PUBLIC HEALTH & FAMILY ASSISTANCE SUBCOMMITTEE

The **Public Health & Family Assistance Subcommittee** met immediately following full committee on March 17th with eight bills and five House joint resolutions on calendar; two bills were referred to full committee. On a voice vote, the subcommittee canceled its regularly scheduled 4:00 PM subcommittee meeting. **HB 1551 (Shepard)** as amended concerning *adult behavioral health services for the seriously and persistently mentally ill* provided through the Behavioral Health Safety Net of Tennessee was referred to full committee. Rep. Curtiss rolled **HB 1586** four weeks. **HB 2106 (Fincher)** was rolled one week due to the sponsor's absence. **HB 0050 (Gilmore)** was rolled one week at the request of the

sponsor. **HB 0638 (Maggart)** was taken off notice at the request of the sponsor. Rep. Maddox presented **HB 0445** concerning abortions and distributed copies of OAG 05-071 (May 3, 2005) concerning Status of Abortion Laws relative to the Tennessee Supreme Court's *Planned Parenthood v. Sundquist* ruling. After discussion and questions, Rep. Maddox rolled HB 0445 one week for review of language in the bill that is in existing statute, i.e., the third trimester hospitalization requirement. Rep. Maddox took **HB 2204** off notice. **HB 1828 (Hensley)** that extends the termination date for the Select Oversight Committee on TennCare until June 30, 2014, was referred to full committee. **HJR 0132 (Camper)** that proposed an amendment to Article I of the Constitution of Tennessee relative to vasectomies failed on a voice vote. Chairman Hensley rolled **HJR 0066 (Maggart)**, **HJR 0127 (Kelsey)**, and **HJR 0088 (Curtiss)** two weeks to await Senate action on SJR 0127. **HJR 0061 (Fincher)** was rolled one week due to the sponsor's absence.

PROFESSIONAL OCCUPATIONS SUBCOMMITTEE

The **Professional Occupations Subcommittee** met Tuesday morning, March 17, 2009, with eight bills on calendar, referring two to full committee. **HB 0106 (Matheny)** was rolled one week at the request of the sponsor. Rep. Odom rolled **HB 0464** two weeks. After testimony and extended discussion, **HB 0465 (Odom)** that authorizes nurse practitioners and



Rep. Shepard

physician assistants to perform physical examinations of police officers and to issue certified statements of disability or deafness for a person's application for an appropriate registration, license plate, placard, or decal from the Department of Revenue was referred to full committee. **HB 1124 (Gilmore)** was

rolled three weeks by the subcommittee. **HB 1465 (Harwell)** was rolled one week at the request of the sponsor. Rep. Maggart offered **HB 1495** concerning polysomnography and then moved an amendment that rewrites the bill. The subcommittee adopted the amendment to HB 1495 and then rolled the bill two weeks for review of the amendment. **HB 1550 (Shepard)** that authorizes renal dialysis clinics to employ physicians to provide medical services and establishes guidelines for renal dialysis clinics that employ physicians was referred to full committee. **HB 2131 (McCormick)** was taken off notice at the request of the sponsor.

HEALTH CARE FACILITIES SUBCOMMITTEE

The **Health Care Facilities Subcommittee** met Wednesday afternoon, March 18, 2009, with 11 bills on the calendar and addendum, referring four to full committee. **HB 0025 (Hardaway)** was rolled three weeks at the request of the sponsor. **HB 0220 (Fincher)** that requires the Bureau of TennCare to verify the social security number of all TennCare enrollees and remove ineligible persons who are not lawful residents or are otherwise fraudulent applicants prior to disenrolling persons for reasons relating to restricting eligibility or enrollment for fiscal or other reasons not required by federal law was referred to full committee. Rep. Fincher took **HB 0277** off notice. **HB 0436 (Shipley)** was rolled one week at the request of the sponsor. Rep. Cooper offered **HB 0684** and distributed an amendment that rewrites all but the effective date of the printed bill. The amendment requires the Department of Human Services, Tennessee Board of Regents, and University of Tennessee system to enter into agreements required by federal law to provide interpreter services to deaf and hard of hearing individuals attending public institutions of higher learning. After discussion on the amendment, Chairlady Pruitt rolled HB 0684 one week with the amendment pending. **HB 0807 (Campfield)**, **HB 0819 (Campfield)**, and **HB 0862 (Mumpower)** were taken off notice at the request of the sponsors. **HB 2215 (Gilmore)** as amended that authorizes a mental health hospital to be licensed by the Department of Mental Health & Developmental Disabilities without going through the CON process if the facility on January 1, 2009, was licensed as part of an existing acute care hospital and the facility had previously been licensed as

a mental health hospital (i.e., allows Vanderbilt Psychiatric Hospital to return to a free standing institution) was referred to full committee. **HB 1611 (Tuner M)** that redefines “previous two (2) years” as “calendar years 2006 and 2007” for the years of the joint annual report in which a nursing home’s occupancy rate is measured as a condition that must be met in order to relocate less than all of its licensed beds to a new location was referred to full committee. **HB 1757 (Camper)** that authorizes an existing nursing home to relocate all or less than all of its licensed beds to not more than two new locations if the original facility is subject to condemnation proceeding by a railroad, is licensed for more than 230 beds and is certified for Medicaid and Medicare participation, the proposed relocation facility is within the original facility’s service

area, and one or more applications for relocation must be filed with and approved by the Health Services and Development Agency (i.e., a facility in Memphis) was referred to full committee.



Rep. Camper

judiciary

Jeffrey T. Malotte, Esq.

THE FULL COMMITTEE



Chairman Coleman

The **Judiciary Committee** (Chairman Coleman) met on Wednesday, March 18, 2009 with 20 bills on calendar.

To Calendar & Rules:

HB 1665 (Todd), as amended, allows commissioned reserve deputy sheriffs (as authorized in writing by the sheriff) to carry firearms as law enforcement officers.

Amendment #1 adds commissioned reserve police officers and auxiliary police officers, thus permitting them to carry firearms as law enforcement officers.

HB 0483 (Harwell), as amended, requires law enforcement agencies to report a missing child to the National Crime Information Center (NCIC) within two hours of receiving a missing child report. Amendment #1 defines this reporting duty as occurring at receipt of the “initial missing child report.”

HB 0054 (Swafford) creates a Class A misdemeanor offense on an owner (or employee) of intellectual property when said owner seizes property alleged to be counterfeit. The bill permits seizures by law enforcement officers as currently provided by law.

HB 0069 (Fincher) prohibits a party in a divorce proceeding from testifying against the party’s incapacitated or mentally incompetent spouse.

HB 0218 (Fincher), akin to the current law regulating pawn shops, requires certain actions by buyers and dealers of scrap jewelry and metal, and makes a violation of such requirements a Class A misdemeanor.

HB 0959 (Bass), as amended, makes confidential: (1) the information contained in handgun carry permit applications and renewals, (2) information provided to agencies to investigate the



Rep. Bass

permit applicant, and (3) records maintained relative to the permit application. Amendment #1 removes the criminal penalties; it also requires the release of some types of information for the purposes of statistical reporting (per TCA § 39-17-1351(s)).

HB 1451 (Coleman) adds the committee of a medical group practice to the definition of a medical review committee.

To Finance, Ways & Means:

HB 1820 (Maggart) permits The Tennessee Bureau of Investigation (TBI) to digitize sex offender files. The bill also provides that a digitized copy of the original is the same as an original for all purposes, including its introduction into evidence in a judicial or administrative proceeding.

HJR 0004 (Hardaway), as amended, establishes a special joint legislative study committee to study the issues relating to unsolved civil rights crimes. Amendment #1 is a clarification.

HJR 0032 (West), as amended, creates a special joint committee to study Tennessee's gun laws. Amendment #1 specifies that the committee shall meet on legislative days.

HB 0268 (Watson), as amended, clarifies that "victims" (rather than the current law's use of "petitioners") are not required to pay court costs and fees for ex parte orders of protection. Amendment #1 is a clarification of the language.

HB 0284 (Watson), as amended, provides that possession of more than 20 grams of meth precursor within a 30-day period is prima facie evidence of the crime of intent to promote meth manufacture. Amendment #1 clarifies that the bill does not criminalize the legitimate business conduct of pharmacists, among others.

Rolled:

HB 0960 (Tindell): 1 week.
HB 0620 (Maggart): 1 week.
HB 0621 (Maggart): 1 week.
HB 0623 (Maggart): 1 week.
HB 0626 (Maggart); amendment expected.
HB 0748 (Montgomery): 1 week.
HB 0814 (Campfield): 1 week.
HB 0703 (Watson): 2 weeks.

**CIVIL PRACTICE AND PROCEDURE
SUBCOMMITTEE**

The **Civil Subcommittee** (Chairman Kelsey) met on Tuesday, March 17, 2009 with 17 bills on calendar.

To the full Committee:

HB 0645 (Montgomery), as amended, revises the Ski Area Safety and Liability Act to expand the coverage to include sleds, tubes, and snowboards as well as skis. It also increases the required liability insurance coverage to \$1,000,000 per occurrence (up from \$100,000 per person and \$200,000 per accident). Amendment #1 defines the term "skier," linking it to one's sport activity rather than to physical presence at a ski resort.

HB 0730 (Ferguson), as amended, allows certain municipal judges to serve concurrently as municipal recorders. It also exempts certain municipal judges from a portion of the annual continuing legal education (CLE) requirements imposed on municipal judges. Amendment #1 provides that if a municipal judge satisfies the annual CLE requirement, whereby three of those hours are in training or judge education, then the municipal judge shall not be required to complete three additional hours of training or judge education.

Rolled:

HB 2154 (McCord): 2 weeks.
HB 1384 (Maggart): 2 weeks.
HB 1832 (Turner M): 1 week.
HB 1771 (Dunn): 1 week.
HB 1772 (Dunn): 1 week.
HB 0800 (Campfield): 1 week.
HB 0126 (Hardaway): 2 weeks.
HB 0130 (Hardaway): 1 week.
HB 0736 (Hardaway): 2 weeks; amendment expected.
HB 1385 (Harrison): 2 weeks.
HB 1358 (Lundberg): 2 weeks.

Taken Off Notice:

HB 2338 (Shepard).
HB 0502 (Todd).
HB 1533 (Coley).
HB 0405 (Fincher).

**CRIMINAL PRACTICE AND PROCEDURE
SUBCOMMITTEE**

The **Criminal Subcommittee** (Chairman Watson) met on Wednesday, March 18, 2009 with 13 bills on calendar.

Gun Bills Rolled to April 1st:

HB 0112, 0747, 2115, 0796, 0823, 0798, 1118, 0359, 1395, 1398, 1225, 0724, 0972, 1625, 0363, 0856, 0855, 0521, 0490, 0489, 0503, 0233, 2081, 0770, 0898, 1807, 1793, 1801, 1805, 1806.

To the full Committee:

HB 0250 (Carr), as amended, creates a misdemeanor offense to knowingly allow a minor to drink or possess



Rep. Carr

alcoholic beverages, or knowingly fail to stop a minor from drinking or possessing alcoholic beverages, while the minor is present on real property owned or otherwise

possessed by the offender.

Amendment #1 clarifies the definition of the offender's reasonable knowledge.

HB 1120 (Haynes)

prohibits a sexual offender from being

upon the premises of, or loitering within 1,000 feet of, a school, day care center, park, playground, or recreation center, when a child is likely to be present.

HB 1277 (Gilmore) provides that the records of a person found not guilty of a crime are to be automatically destroyed (rather than the not guilty person having to petition the court for such destruction).

HB 0360 (Dennis), as amended, permits a judge to order the issuance of a restricted license to a person convicted of driving impaired while underage under the same circumstances as a restricted license may be ordered for a person convicted of DUI. Amendment #1 provides a 90-day period in which to obtain a restricted license.

HB 0355 (Hackworth) requires a law enforcement officer to conduct a test to determine the blood alcohol of a driver involved in an accident which results in an injury or death, so long as the officer has probable cause to believe the driver committed DUI, vehicular assault, vehicular homicide, or aggravated vehicular homicide.

HB 0735

(Matheny) prohibits the owner of a motor vehicle from knowingly allowing a person to operate such vehicle without the person having a valid driver's license.

HB 0918

(Matheny) prohibits a person convicted under the implied consent law from obtaining a restricted driver license.



Rep. Matheny

Rolled:

HB 0583 (Fincher): 2 weeks.

HB 1639 (Jones U): 2 weeks.

HB 2376 (Shepard): 1 week.

HB 1593 (Lynn): 1 week.

HB 0314 (Matheny): 2 weeks.

HB 1938 (Matheny): 2 weeks.

state & local government

Lawrence Hall, Jr.

THE FULL COMMITTEE

This week in State and Local Government full committee, the committee considered sixteen bills. Eleven were passed to Calendar and Rules and two were passed to Finance, Ways and Means. All other bills were either rolled to a later calendar or failed to receive a majority vote.

Calendar and Rules:

HB 305 by Sargent – This bill revises exemptions from obtaining continuing education and filing requirements for professional planners whose duties include advising planning commission or boards of zoning appeals if such planners are members of the American Institute of Certified Planners.

HR 30 by Tindell - Approves 2009-2010 501(c)(3) annual events by the house of representatives.



Rep. Dean

HB 273 by Dean – This bill clarifies that any provision of law or charter provision that requires a county or municipality to sell surplus property by public auction will also include sale by Internet auction.

HB 347 by Hackworth - Authorizes a city or county to conduct a criminal background check on an applicant for a beer permit.

HB 225 by Casada - This bill modifies certain public notice requirements pertaining to regional planning and municipal planning.

HB 956 by McCord - Specifies that a local government entity is authorized to conduct public works projects in the territory of another local government in

order to perform maintenance or make improvements to its existing public works system.

HB 2043 by McCord – This adds East Fork Stables in Fentress County to the definition of premier type tourist resort.

HB 291 by Sargent – This bill expands the powers of the Greater Nashville regional council to include owning or leasing real and personal property as necessary to fulfill the duties and responsibilities of the regional council.

HB 1177 by Sargent - Specifies that if spouses file a joint federal income tax return the income of a property owner's spouse is attributable to the property owner for purposes of determining whether the property is eligible for property tax relief for elderly or disabled homeowners.

HB 306 by Sargent - Revises the time frame for the approval or disapproval of a plat by the municipal planning commission.

HB 307 by Sargent - Allows platting regulations to provide for an assessment or other method for certain improvements to be provided by the appropriate governmental entity at cost to owners of the property in a subdivision, instead of completion of work prior to final approval of a plat.

Finance, Ways and Means:

HB 273 by Dean – This bill clarifies that any provision of law or charter provision that requires a county or municipality to sell surplus property by public auction will also include sale by Internet auction.

HB 310 by Sargent – Specifies that if spouses file a joint federal income tax return the income of a property owner's spouse is attributable to the property owner for purposes of determining whether the property is eligible for property tax relief for elderly or disabled homeowners.

Rolled Bills:

HB 1653 by Armstrong – 1 week

HB 1357 by Carr – 1 week

HB 824 by Campfield – Failed

STATE GOVERNMENT SUBCOMMITTEE

This week in State Government Subcommittee, there were 15 bills on the calendar. Seven bills were rolled to full committee and the others were rolled to a future calendar.

Full Committee:

HB 356 by Hackworth – This clarifies design of stars on Tennessee state flag to ensure flag is properly displayed

HB 1745 by Curtiss - creates select oversight committee on veterans affairs.

HB 726 by Hensley - Designates “Gold Star Mother’s Day,” the last Sunday in September, as a day of special observance.

HB 1573 by West - Requires longevity pay to state employees to be issued by a separate check unless the employee elects not to receive a separate check.



Chairman Todd

board of directors of district management corporations and local neighborhood development corporations.

HB 1845 by Miller L – This bill creates six-member diversity business enterprise select oversight committee to review and evaluate diversity in state contracting and procurement; three members to be appointed by the speaker of the senate, one from each grand division;

HB 1117 by Casada

– This bill requires POST commission to establish by rule how this state will implement the federal “Law Enforcement Officers Safety Act of 2004,” relative to the carrying of firearms by qualified and retired law enforcement officers.

HB 2242 by Todd - discontinues appointment of specified members of the general assembly as members on the

three members to be appointed by the speaker of the house, one from each grand division.

Rolled Bills:

HB 204 by Matheny – 1 week.
HB 813 by Campfield – 1 week.
HB 1850 by Dun – 1 week.
HB 1951 by T. Cobb – 1 week.
HB 1115 by Hackworth – 2 weeks.
HB 1847 by Miller – 1 week
HB 691 by Fincher – Off Notice.
HJR 7 by Gilmore – 1 week.

LOCAL GOVERNMENT SUBCOMMITTEE

This week in Local Government Subcommittee, there were 24 bills listed for consideration. Twelve bills were passed to the full committee. All others were rolled to later meetings.

Full Committee:

HB 0875 by Haynes - Specifies that certain supplemental petitions are not required to be submitted to the utility management review board.

HB 876 by Haynes - This bill clarifies certain terms for the merger, consolidation, or transfer of assets of utility districts.

HB 957 by McCord - expands the membership of the board of an industrial development corporation among two or more municipalities; expands the type of obligations for which the corporation may mortgage and pledge any or all of its projects as security for their payment.

HB 2042 by McCord – Subject to local approval, increases the hotel motel tax from 4 percent to 5 percent; redistributes the proceeds (Blount).

HB 889 by Hackworth – This bill revises procedures for forced assessment and equalization of tangible personal property. - Amends TCA Section 67-5-1509 and Section 67-5-903.

HB 1720 by Carr - Provides that manufacturing of intoxicating liquors is allowed in counties that have approved retail package sales and liquor-by-the-drink sales through voter referendum.

HB 249 by Carr – This bill clarifies certain ambiguities existing within those Murfreesboro city charter

provisions that set forth disciplinary policies and procedures for municipal employees.

HB 1990 by Fitzhugh – This bill revises provisions governing the notice to be given prior to enforcing a lien for uncollected property taxes.

HB 1989 by Fitzhugh - Requires country trustee to submit a plan to the comptroller regarding partial tax



Rep. Fitzhugh

payments prior to the trustee's accepting partial payment of property taxes.

HB 1979 by Fitzhugh - Reduces from three to two the number of consecutive years a utility district, water system, or wastewater facility must have a negative change in net assets in order to be considered financially distressed.

HB 1978 by Fitzhugh – This bill enacts the “Local Government Electronic Technology Act of 2009.”

HB 603 by Tidwell - Permits a facility located in Humphreys County to obtain a manufacturer's license to distill alcoholic beverages for the sale, distribution, and transportation to wholesalers only.

Rolled Bills:

HB 939 by Ferguson – 3 weeks.

HB 1160 by Fraley – 4 weeks.

HB 1905 by Curtiss – 2 weeks.

HB 1352 by Matheny – 2 weeks.

HB 2075 by Fitzhugh – 2 weeks.

HB 2074 by Fitzhugh – 2 weeks.

HB 469 by Kelsey – 2 weeks.

HB 493 by Tidwell – 2 weeks.

HB 1609 by Litz – 1 week.

HB 1549 by Casada – 1 week.

HB 2197 by Miller – 1 week.

HB 1218 by Curtiss – Off Notice.

ELECTIONS SUBCOMMITTEE

Elections Subcommittee did not meet this week.

transportation

Jeremy L. Elrod

THE FULL COMMITTEE

The **House Transportation Committee** convened March 17, 2009. There were 22 bills on the calendar.

HJR78 (Winningham), HB1581 (Matheny), HB366 (Matheny), HB1116 (Dean), HB384 (Ford), HB372 (Ford) and HB1929 (Ford) were rolled for one week.

The following bills were passed by the committee and referred to the **Calendar and Rules Committee**.

HB985 (McManus) – As amended, allows owners of antique motor vehicles to drive their antiques vehicles on public highways for the purpose of selling, testing the operation of, or obtaining repairs to or maintenance on the vehicle.

HB2375 (McCord) – Designates a portion of U.S. Highway 441 (Newfound Gap Road) in Sevier County as scenic highway.

HB1624 (McCord) – Exempts from the definition of heliport in a tourist resort county, land on private property used for landing a privately owned and operated helicopter for private purposes on a limited basis which is never used by or for commercial helicopter touring.

The following bills were passed by the committee and referred to the **Finance, Ways and Means Committee**:

HB16 (Swafford) – “Vietnam War Memorial Highway” highway signs on a segment of I-40 in Cumberland County.

HB336 (Carr) – “Thomas Hutchinson Bridge” signs for a bridge on U.S. Highway 231 in Rutherford County. An amendment was adopted for Rutherford County to pay for the signs.

HB1494 (Hensley) – “Bobby James Killen Memorial Bridge” signs for a bridge on State Route 227 in Lawrence County. An amendment was adopted for Lawrence County to pay for the signs.

HB453 (McDonald) – “Cora Cline Memorial Highway” highway signs on a segment of State Route 174 in Sumner County. An amendment was adopted for Sumner County to pay for the signs.

HB1187 (Matlock) – Broadens prohibitions on window tinting to any motor vehicle operated on public highway, rather than only to those registered in Tennessee. The bill has an exemption for motor vehicles registered in another state that comply with requirements of such state.

HB488 (Tidwell) – “Veterans Memorial Highway” highway signs on a segment of U.S. 412.

HB491 (Tidwell) – “Sheriff Elmer Garner Memorial Bridge” signs for a bridge on S.R. 13 in Perry County. An amendment was adopted for Perry County to pay for the signs.

HB487 (Tidwell) – “Corporal David Carroll Westbrooks Memorial Highway” highway signs on a segment of S.R. 13 in Perry County.

HB602 (Tidwell) – Designates a bridge on United States Highway 412 in Maury County the “Jack and Florence Cecil Memorial Bridge.” An amendment was adopted for Maury County to pay for the signs.

HB1934 (Tidwell) – “Dr. Gordon Turner Memorial Highway” highway signs on a segment of State Route 13 in Perry County. An amendment was adopted for Rutherford County to pay for the signs.

The following bills were passed by the committee and will be placed in the **Omnibus Special License Plate Bill**:

HB576 (Eldridge) – Authorizes issuance of a new specialty earmarked license plate for United Way. The bill allocates revenue from sale of such plates to the United Way of Tennessee.

HB2006 (McDonald) – Authorizes issuance of cultural license plates for University of Illinois.

RURAL ROADS SUBCOMMITTEE

The **Rural Roads Subcommittee** met March 17, 2009 to consider three bills.

The following bills were passed by the committee and referred to the full **Transportation Committee**:

HB2140 (McDonald) – Designates a certain portion of I-65 as the “Deputy Brian Denning Memorial Highway.”

HB2179 (Bone) – Expresses intent to name appropriate bridge on S.R. 840 in honor of the late First Lieutenant William Eric Emmert, Tennessee Army National Guard.

HB731 (Ferguson) – “Mayor Edwin L. Kelley Memorial Highway” highway signs on a segment of State Route 61/State Route 62 (Tri-County Boulevard) within the Town of Oliver Springs.

PUBLIC SAFETY SUBCOMMITTEE

The **Public Safety & Rural Roads Subcommittee** met March 17, 2009 to consider ten bills.

HB706 (Dean) and **HB683 (Cooper)** were rolled for one week.

HB685 (Cooper) and **HB1470 (Shepard)** were taken off notice.

HB886 (Cooper) was referred to the Clerk’s Desk.

HB1638 (U.Jones) was rolled for two weeks.

HB943 (Lynn) died for the lack of a second.

The following bills were passed by the committee and referred to the full **Transportation Committee**:

HB18 (Swafford) – As amended, creates a new criminal offense of aggressive driving. A person commits aggressive driving who, during one event of continuous driving, commits at least two of the following violations:

- Overtaking on the right;
- Overtaking and passing in no passing zones;
- Following too closely;
- Failing to yield to pedestrians;
- Failure to signal turn;
- Speeding;
- Stopping, standing, or parking in prohibited places;
- Following fire trucks;

and the result of the violations place another person(s) in danger of bodily injury. Aggressive driving would be a Class B misdemeanor.



Rep. Swafford

HB1657 (Armstrong) – authorizes new specialty earmarked license plate to honor contributions of nurses in Tennessee, and it directs portion of proceeds to Tennessee Nurses Foundation

HB1660 (Armstrong) – Authorizes issuance of I RECYCLE new specialty earmarked license plates, and it earmarks proceeds from such plates for certain recycling efforts.

THE RESEARCH REVIEW

(may be accessed online at)
www.legislature.state.tn.us

>> click on HOUSE, click on HOUSE PUBLICATIONS <<

{ about photos }

Photographs for THE RESEARCH REVIEW are provided by the staff of Tennessee Photographic Services. For copies of photographs selected for use in this publication, or for other photos taken during committee meetings or events, go to:

www.tnphotoservices.com

A simple registration allows access to the website, where pictures may be viewed online. Order forms are available on the website for print.

For additional information, please contact TENNESSEE PHOTOGRAPHIC SERVICES, a division of the Department of General Services, at 615-741-5487.